

### REMARKS

This is a full and timely response to the Official Communication mailed **April 8, 2009** (the “Office Action” or “Action”). Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

#### Claim Status:

By the forgoing amendment, all claims except claim 18 have been cancelled without prejudice or disclaimer. Accordingly, claim 18 remains pending for further action.

#### Decision on Appeal:

The Board of Appeals and Interferences (the “Board”) issued an opinion in the above-identified patent application on May 30, 2008. In that opinion, all rejections of claim 18 were reversed, leaving claim 18 in condition for allowance. Claim 18 has been a dependent claim, depending ultimately from independent claim 7.

The Action of April 8, 2009 gives Applicant a one-month time period to present claim 18 in independent form. Accordingly, Applicant files the present paper in which claim 18 has been rewritten as an independent claim including all the language of the claims on which it previously depended, i.e., claims 7, 13 and 17.

All the other claims in the application have been cancelled previously or are cancelled by this paper without prejudice or disclaimer. Consequently, following entry of this amendment, only claim 18 remains pending as allowed by the Board. Therefore, issuance of this application is respectfully requested.

Conclusion:

In view of the foregoing arguments, claim 18 is believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Communication of April 8, 2009. Nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper. If the Examiner has any comments or suggestions which could place this application in better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

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/Steven L. Nichols/

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